

### REMARKS

Claim 46 has been added. No new matter has been added. Claims 22 to 46 are currently pending.

Reconsideration is respectfully requested based on the following.

With respect to paragraph four (4) of the Final Office Action, claims 22, 23, 26, 27, 31, 33, 34, 36, 39 and 41-45 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,487,583 to "Harvey et al."

To anticipate a claim under 35 U.S.C. § 102, a single prior art reference must identically disclose each and every claim feature. See Lindeman Maschinenfabrik v. American Hoist and Derrick, 730 F.2d 1452, 1458 (Fed. Cir. 1984). If any claim feature is absent from a prior art reference, it cannot anticipate the claim. See Rowe v. Dror, 112 F.3d 473, 478 (Fed. Cir. 1997).

As regards claims 22 and 41 to 44, while the rejections may not be agreed with, to facilitate matters, these claims have been further clarified to better define their subject matter. No new matter has been added, and these claims, as well as their dependent claims, are supported by the present application, including the specification, and are allowable for at least the following reasons:

As to claim 22, as presented, the "Harvey et al." reference does not identically disclose (or even suggest) the feature which provides for transmitting a positive check result to the first processor, and **responsive to receiving the positive check result, processing the first data at the first processor**, as provided for in the context of claim 22, as presented. The "Harvey et al." reference generally refers to an IADS that distributes, initiates, and allows interactions/communications within a community. An invitation application is received by a user, who may have the option of authenticating the invitation application. If the user chooses to authenticate the invitation application, the user downloads a verification application which generates a checksum based on the received invitation application and sends the checksum to a server. The server sends a response back to the verification application based on the checksum. However, the "Harvey et al." reference fails to describe the feature of **"responsive to receiving the positive check result, processing the first data at the first processor."** Instead, the authentication is a completely **optional** process, and the user may elect to not to execute it at all, as depicted in Figure 8A-1.

Accordingly, claim 22 as presented is allowable.

Similarly, claims 41 to 44, as presented, include the feature of “responsive to receiving the positive check result, processing the first data at the first processor.” Therefore, claims 41 to 44 are allowable for essentially the same reasons as claim 22, as presented.

As further regards claims 23, 26, 27, 31, 33, 36, 39-40 and 45, as presented, these claims depend from claim 22, as presented, and are therefore allowable for at least the same reasons as claim 22, as presented.

As regards claim 34, it has been rewritten to independent form and provides for “storing by the second processor a use of the first data by the first processor.” The “Harvey et al.” does not even discuss the second processor storing a use of the first data by the first processor in the database, so that claim 34 as presented is allowable.

With respect to paragraph six (6) of the Office Action, claim 24 was rejected under 35 U.S.C. § 103(a) as obvious over the “Harvey et al.” reference in view of U.S. Patent 7,003,674 to “Hamlin.”

Claim 24 has been rewritten in independent form and includes the feature of “checking in the second processor an **identity of a data carrier in the data medium drive.**” The “Hamlin” reference refers to a hard disk drive which has a public area 6 and a pristine area 8. Various other secure disk drives are able to access the secure area of the disk drive via the network. An authentication circuitry 14 evaluates any request by an external entity to access the pristine area 8. However, the “Hamlin” reference fails to describe the feature of checking the identity of the data carrier, since it does not cure the deficiencies of the primary “Harvey” reference. Accordingly, claim 24 is allowable.

With respect to paragraph seven (7) of the Office Action, claim 25 was rejected under 35 U.S.C. § 103(a) as obvious over the “Harvey et al.” reference in view of U.S. Patent 6,704,872 to “Okada.”

Claim 25 depends from claim 22, and therefore includes all features of claim 22. The “Okada” reference has not been asserted to overcome the shortcomings of the “Harvey et al.” with respect to claim 22. Therefore, claim 25 is allowable for at least the same reasons as claim 22, as presented.

With respect to paragraph eight (8) of the Office Action, claims 28 and 40 were rejected under 35 U.S.C. § 103(a) as obvious over the “Harvey et al.” reference in view of the Handbook of Applied Cryptography to “Manezes et al.”

Claims 28 and 30 ultimately depend from claim 22, and therefore include all features of claim 22. The "Manezes et al." reference has not been asserted to overcome the shortcomings of the "Harvey et al." with respect to claim 22. Therefore, claims 28 and 40 are allowable for at least the same reasons as claim 22, as presented.

With respect to paragraph nine (9) of the Office Action, claims 29 and 30 were rejected under 35 U.S.C. § 103(a) as obvious over the "Harvey et al." reference.

Claims 29 and 30 depend from claim 22, and therefore includes all features of claim 22. Therefore, claims 29 and 30 are allowable for at least the same reasons as claim 22, as presented.

With respect to paragraph ten (10) of the Office Action, claim 32 was rejected under 35 U.S.C. § 103(a) as obvious over the "Harvey et al." reference in view of U.S. Patent 6,735,699 to "Sasaki."

Claim 32 depends from claim 22, and therefore includes all features of claim 22. The "Sasaki" reference has not been asserted to overcome the shortcomings of the "Harvey et al." with respect to claim 22. Therefore, claim 32 is allowable for at least the same reasons as claim 22, as presented.

With respect to paragraph eleven (11) of the Office Action, claim 35 was rejected under 35 U.S.C. § 103(a) as obvious over the "Harvey et al." reference in view of U.S. Patent 4,264,960 to "Gurr."

Claim 35 depends from claim 22, and therefore includes all features of claim 22. The "Gurr" reference has not been asserted to overcome the shortcomings of the "Harvey et al." reference with respect to claim 22. Therefore, claim 35 is allowable for at least the same reasons as claim 22, as presented.

With respect to paragraph twelve (12) of the Office Action, claim 37 was rejected under 35 U.S.C. § 103(a) as obvious over the "Harvey et al." reference in view of U.S. Patent 5,790,664 to "Coley."

Claim 37 depends from claim 22, and therefore includes all features of claim 22. The "Coley" reference has not been asserted to overcome the shortcomings of the "Harvey et al." with respect to claim 22. Therefore, claim 37 is allowable for at least the same reasons as claim 22, as presented.

With respect to paragraph thirteen (13) of the Office Action, claim 38 was rejected under 35 U.S.C. § 103(a) as obvious over the "Harvey et al." reference in view of U.S. Patent 6,140,939 to "Flick."

Claim 38 depends from claim 22, and therefore includes all features of claim 22. The "Flick" reference has not been asserted to overcome the shortcomings of the "Harvey et al." with respect to claim 22. Therefore, claim 38 is allowable for at least the same reasons as claim 22, as presented.

New claim 46 does not add any new matter and is supported in the specification, and depends from claim 22. Therefore, claim 46 is allowable for at least the same reasons as claim 22, as presented.

Accordingly, claims 22 to 46 are allowable.

**CONCLUSION**

In light of the foregoing, claims 22 to 46 are allowable. It is therefore respectfully requested that the rejections be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

Respectfully submitted,

Dated: 12/1/2006

By: 

Gerard A. Messina  
(Reg. No. 35,952)

KENYON & KENYON LLP  
One Broadway  
New York, NY 10004  
(212) 425-7200

33, P. 5  
Haven C.  
O.F.O. (T.H.)

CUSTOMER NO. 26646